

SAO 440 (Rev. 8/01) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

UNITED STATES DISTRICT COURT FOR THE District of MASSACHUSETTS

ITV DIRECT, INC.,

## SUMMONS IN A CIVIL CASE

V.

HEALTHY SOLUTIONS, L.L.C., ET AL.,

AND

CAPPSEALS, INC.,

V.

HEALTHY SOLUTIONS, L.L.C., ET AL.

CASE NUMBER:

04 CV 10421 JLT

TO: (Name and address of Defendant)

ITV Direct, Inc.  
100 Cummings Center  
Suite 128A  
Beverly, MA 01915

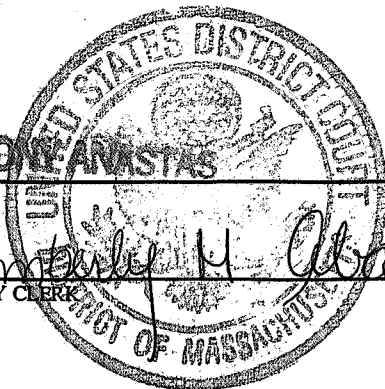
**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Daniel J. Kelly, Esq.  
Gadsby Hannah LLP  
225 Franklin Street  
Boston, MA 02110

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK

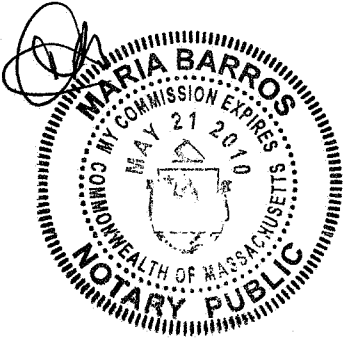
(By) DEPUTY CLERK



DATE

April 14, 2004

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RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE <u>April 15 2004 at 3:00 PM.</u>	
NAME OF SERVER (PRINT) <u>Gerson Maciel</u>	TITLE <u>Process Server</u>	
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____ _____		
<input checked="" type="checkbox"/> Other (specify): <u>Service was made on Sunny Bontre as legal clerk at ITV Direct Inc. located at 100 Cummings Center Ste 128A Beverly MA 01915</u>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>April 15 2004</u> _____            Date Signature of Server</p> <p style="text-align: center;">  </p> <p>_____            Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

**AFFIDAVIT OF SERVICE**

**State of Massachusetts**

**County of DISTRICT OF MASSACHU**

**Usd Court**

Case Number: 04CV10421JLT

Plaintiff:

**ITV DIRECT, INC.,**

vs.

Defendant:

**HEALTHY SOLUTIONS, L.L.C., ET AL., AND CAPPSEALS,  
INC., HEALTHY SOLUTION, L.L.C., ET AL.**

For:

Gadsby, Hannah, LLP  
225 Franklin Street  
Boston, MA 02110

Received by STOKES & LEVIN, LLP to be served on **ITV DIRECT, INC., 100 CUMMINGS CENTER,  
SUITE 128A, BEVERLY, MA 01915.**

I, GERSON MACIEL, being duly sworn, depose and say that on the **15th day of April, 2004 at 3:00 pm, I:**

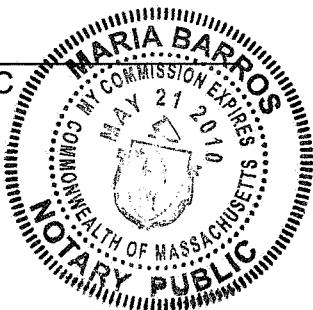
Served the within named corporation by delivering a true copy of the **Summons and Complaint** with the date and hour of service endorsed thereon by me to SUNNY BADORE as LEGAL CLERK of the within named corporation, in compliance with State Statutes.

**Description of Person Served:** Age: 40, Sex: F, Race/Skin Color: White, Height: 5'7, Weight: 160, Hair: Brown, Glasses: N

I certify that I am over the age of 18 and have no interest in the above action.

Subscribed and Sworn to before me on the 16th day of April, 2004 by the affiant who is personally known to me.

NOTARY PUBLIC



  
**GERSON MACIEL**  
Process Servers/Constable

**STOKES & LEVIN, LLP**  
27 Glen Street  
Suite 9 B  
Stoughton, MA 02072  
(781) 341-8390  
Our Job Serial Number: 2004001183  
Ref: 04CV10421JLT  
Service Fee: \_\_\_\_\_